

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF WEST VIRGINIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CRIMINAL NO. 1:13cr17
(Judge Keeley)

CHARLES ADKINS and
LORETTA MEREDITH,

Defendants.

SCHEDULING ORDER

Pursuant to the defendants' pleas of not guilty to the charges contained in the Second Superseding Indictment, and for the reasons stated on the record at the hearing held on May 15, 2013, the Court sets the following disclosure, pre-trial, and trial dates:

(1) The United States Attorney shall provide the defendants' counsel with copies of pretrial discovery and inspection on or before May 22, 2013.

(2) In accord with local criminal Rule 16.01, the defendants shall provide reciprocal discovery in accord with Fed. R. Crim. P. 16(b)(1) within 14 days of receipt of the government's discovery, but not later than June 5, 2013.

Any declination of disclosure, additional discovery or inspection and additional evidence shall be in accordance with L.Cr.R. 16.02, 16.03, and 16.04.

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(3) Exculpatory evidence shall be disclosed on or before May 22, 2013. L.Cr.R. 16.05.

(4) All motions, including any motion for a bill of particulars pursuant to Rule 7(f) of the Federal Rules of Criminal Procedure, shall be filed on or before June 7, 2013. All such motions shall contain or be accompanied by a memorandum or brief presented at the time of filing setting forth the reasons and legal support for granting such motion. If this memorandum or brief is not presented at the time of filing, the motion will be dismissed.

If a party desires to file a motion for a continuance of a trial or any other scheduled event, counsel for that party shall, prior to the filing of any motion, meet and confer with opposing counsel and agree upon three (3) new dates should the motion be granted, and that information shall be included in the motion. If counsel for the opposing party objects to a continuance, that fact shall also be noted in the motion.

(5) Responses to all such motions with legal support or memorandum shall be filed on or before June 14, 2013.

(6) A hearing on all motions, if referred to the Magistrate Judge by the Court, shall be held by the Magistrate Judge on June 18, 2013, at 10:00 a.m., at Clarksburg, West Virginia. The

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defendants shall be present at the hearing on all pretrial motions.
The United States Marshals Service requires that subpoenas for
witnesses be issued ten days prior to the date of the hearing in
order for them to be able to serve them.

(7) Rule 404(b), Giglio, and Roviaro evidence shall be disclosed **July 8, 2013**. LR CR P 16.06.

(8) It is requested that the government disclose materials described in 18 U.S.C. § 3500 (Jencks Act material) on or before **July 8, 2013**.

(9) All proposed voir dire question and proposed jury instructions shall be submitted by counsel to the Court and opposing counsel on or before **July 15, 2013**. LR Cr P 24.01.

If the instructions in this case are being typed on a computer, counsel are requested to provide to the Court a disk labeled with the case name and party proposing the instructions. The envelope containing the disk should be marked "Contains Disk - Do not X-Ray - May be Opened for Inspection." The disk will be returned to counsel if requested.

(10) All motions in limine (which must be limited to matters actually in dispute) shall be filed by counsel, with service on

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opposing counsel, by 5:00 P.M. on July 5, 2013, and responses shall be filed by 5:00 P.M. on July 11, 2013. L.R Crim P 24.01.

(11) By 5:00 P.M. on July 8, 2013, counsel for each party shall submit to the Court and to opposing counsel, a list of probable witnesses and possible witnesses (identified as such), but not whether or not the defendants shall be a witness. The list shall state the full name and address of each witness and shall also contain a brief statement of the subject matter to be covered by each witness. Expert witnesses and record custodians shall be identified as such on the list. LR Cr P 16.07.

(12) By 5:00 P.M. on July 8, 2013, counsel for each party shall file with the Court and with opposing counsel a list of exhibits to be offered at trial. In addition, counsel for each party shall number the listed exhibits with evidence tags which may be obtained from the clerk and shall exchange a complete set of marked exhibits with opposing counsel (except for large or voluminous items or other exhibits that cannot be reproduced easily). LR Cr P 16.08.

(13) If this matter results in the formulation of a plea agreement, counsel shall submit to the Court the executed plea

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agreement or an unexecuted final proposed agreement by **5:00 p.m. on July 8, 2013.**

If a party believes that there may be a disputed issue on the admissibility of certain evidence at trial, that party's counsel shall file a memorandum of law on that issue, with a copy served upon opposing counsel, at least 48 hours prior to trial.

The deadlines stated in LR Cr P 24.01. 16.07 and 16.08 are deadlines for hand-delivery or delivery by FAX, if permission is granted pursuant to LR Gen P 5.03 and 5.04. If the items required to be served on opposing counsel are served by mail, the deadline shall be two (2) days earlier.

(14) A final pretrial conference in this case will be held before the Honorable Irene M. Keeley on **July 15, 2013, at 10:30 a.m.**, at Clarksburg, West Virginia.

(15) Jury selection in this matter will be conducted before the Court at the following time and place:

United States Post Office and Federal Building
500 West Pike Street
Clarksburg, WV 26301
July 22, 2013 at 9:30 a.m.

(16) Trial will commence upon completion of jury selection in all cases scheduled for trial. As of this date, this case is set for trial as the **first** case.

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(17) Defendants shall appear at every scheduled matter including, but not limited to, motions hearing, pretrial conference, trial and every other proceeding.

It is so **ORDERED**.

The Clerk for the United States District Court of the Northern District of West Virginia is directed to provide copies of this Order to all counsel of record and all appropriate agencies.

DATED: May 15, 2013.

/s/ Irene M. Keeley

IRENE M. KEELEY

UNITED STATES DISTRICT JUDGE